IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

OP.No. 1185 of 2001(N)

PETITIONERS:
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1. SAJEEVAN.T.K., S/O.T.K.KARUNAKARAN,
   THEKKETHARA, CHITTOOR COLLEGE P.O.,
   PALGHAT DISTRICT.

2. T.K.RAJEEV, S/O.T.K.KARUNAKARAN,
   HEKKETHARA, CHITTOOR COLLEGE P.O.,
   PALGHAT DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN (SR)

RESPONDENTS:
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1. THE STATE OF KERALA – REPRESENTED BY
   CHIEF SECRETARY, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DIVISIONAL FOREST OFFICER,
   NENMARA, PALGHAT DISTRICT.

3. CUSTODIAN AND CONSERVATOR OF FOREST (VESTING &
   ASSIGNMENT), OLAVAKKODE, PALAKKAD DISTRICT.

BY SPECIAL GOVERNMENT PLEADER MR.RENJITH THAMPAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

O.P.No.1185 of 2001

Dated, this the 14th day of August, 2007

JUDGMENT

H.L.Dattu, C.J.

In this original petition, petitioners challenge the constitutional validity or otherwise of the Kerala Forest (Vesting and Management of Ecologically Fragile Lands), Ordinance 2000.

(2) The learned counsel appearing for the parties to the lis would inform us that the Ordinance is now replaced by the Kerala Forest (Vesting and Management of Ecologically Fragile Lands) Act, 2003.

(3) In view of this development, in our view, as on today the reliefs sought by the petitioners in this petition would not survive for consideration of this Court. Accordingly, the original petition is disposed of as having become unnecessary. However, liberty is reserved to the petitioners, if they so desire, to question the correctness or otherwise of the Kerala Forest (Vesting and Managing of Ecologically Fragile Lands) Act, 2003.

(4) Consequently, C.M.P.No.1911 of 2001 is also dismissed.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

vns